



**DEPARTMENT OF CORRECTIONS
MONTANA STATE PRISON
OPERATIONAL PROCEDURE**

Procedure No.: MSP 4.2.1	Subject: INMATE CLASSIFICATION SYSTEM
Reference: DOC Policy No. 4.2.1	Page 1 of 10
Effective Date: September 1, 1998	Revision: (new effective date) February 27, 2013
Signature / Title: Leroy Kirkegard / Warden	
Signature / Title: Gayle M. Lambert / Administrator	

I. PURPOSE

To use an objective classification procedure to determine the appropriate programming and custody level for each inmate, providing the inmate an opportunity for positive change, while ensuring the safety of the public, staff, and inmates.

II. DEFINITIONS

Administrative Review Committee (ARC) - a committee consisting of Associate Warden of Programs , Technical Correctional Services (TCS) Bureau Chief, Contract Placement Bureau Chief, Classification Specialist and Licensed Mental Health Professional (as applicable).

Classification - a tool for managing inmates based on identified and categorized inmate traits, characteristics, potential risks, behaviors and supervision needs in order to ensure public safety, secure facility/program operations, and determine inmate placements.

Criminally Convicted Youth - an inmate less than 21-years-old, who has been convicted/sentenced in district court as an adult pursuant to *41-5-206, MCA*.

Custody Level - a risk category of an inmate as determined by the classification process.

General Population - all inmates except Maximum Custody, Administrative Segregation, Restricted Administrative Segregation, Pre Hearing Confinement, Detention, Infirmary, Reception, or special management.

High Severity of Offense – crimes that are so heinous in nature that good correctional practice requires a higher custody or level of supervision. Crimes must be identified on a case by case basis, but inmates convicted of crimes such as homicide/murder, multiple homicide/murder, torture, rape, second conviction for violent offense, and other situations involving extreme brutality or extreme violence are examples. Generally inmates with a current conviction in the high to highest severity category that scores 5 or more points on the classification instrument in the Most Serious Current Conviction section will meet the requirement of high severity of offense.

Override – placement of an inmate at a different custody level than numerically scored.

Predatory Inmate - a designation of an inmate who has a notable history of preying on others as reflected through intimidating, assaultive, aggressive, or violent acts.

Significant Institutional History – inmates with a documented history of disciplinary infractions in Category I, II or III that results in a combined score of 5 or more on the classification instrument in Severity of Institutional Misconduct and/or Number of Category I or II Rule Violation sections.

Procedure No. MSP 4.2.1	Subject: INMATE CLASSIFICATION SYSTEM
Effective Date: February 27, 2013	p.2 of 10

Special Management Status - any classification or designation which recognizes a need for a special housing assignment, additional or altered supervision, or other atypical handling, including, but not limited to, persons who require protection from other inmates.

Unit Management Team (UMT) - the housing unit staff consisting of the Unit Manager, Case Manager(s), Sergeants and Correctional Officers.

III. PROCEDURES

A. General

1. Inmates will be objectively classified based on an assessment of risks and needs. The system will provide an incentive to inmates to achieve personal, court-ordered, and recommended program goals and allow them to be classified at the lowest custody level consistent with those risks and needs.
2. Classification defines eligibility for assignment or reassignment to a particular housing unit, program/treatment, and/or privilege levels.
3. Classification recommends or advocates a management scheme which takes into account safety and security interests, supervision needs, inmate-related risks, program considerations and other management factors.
4. Staff will solicit and review information from courts, social service agencies, pre-sentence investigation reports, and other resources, such as job supervisors, treatment staff (which includes medical and mental health professionals), or other personnel, to make accurate, detailed assessments.
5. Inmates will not be classified by race, color, creed, or national origin, but may be separated by legal status, or for other correctional management reasons.
6. The Classification assessment will help classification staff identify and make appropriate custody decisions for inmates who:
 - a. Have special needs, such as separation, medical, vulnerable, predatory, assaultive, criminally convicted youth, or inmates under the age of 18.
 - b. Are potential escape risks.
 - c. Have treatment, education, or other program needs.
 - d. Have the potential for other problems, including but not limited to, mental or emotional problems, suicide risk, gang affiliation, sexual identity problems, or special management status needs.
7. Staff will never conduct classification meetings with other inmates present or nearby, but in a location where there is an expectation of privacy, preferably in a staff office.
 - a. If the inmate is in locked housing, staff will request the inmate's presence in a staff office. If the inmate refuses, is on an active behavior management plan, or is being disruptive, the UMT may present the inmate a written report without their participation and/or postpone the hearing until the inmate controls his behavior.
 - b. If the inmate is under 18, UMT staff will personally present the tentative classification to the inmate for review and the inmate's input and signature, as appropriate, within established time guidelines.
 - c. If the inmate is being housed at the Infirmary, UMT staff will personally present the classification to the inmate for review and signature within established time guidelines.

Procedure No. MSP 4.2.1	Subject: INMATE CLASSIFICATION SYSTEM
Effective Date: February 27, 2013	p.3 of 10

8. The UMT is responsible for assessing/recommending inmates for interstate transfer or placement at other department facilities/programs or contracted facilities/programs (i.e., Treasure State Correctional Training Center, pre-releases, regional prisons, private prisons, and Intensive Supervision Program) in accordance with Department policies.
9. UMT staff will update each inmate's *Needs Assessment Form* annually and review it with the inmate at every classification hearing.
10. The ARC provides a classification safety net and gives the UMT support on an administrative level. The ARC reviews any classification presented by UMTs including, but not limited to:
 - All new overrides that result in a custody increase or decrease.
 - Reclassifications in and out of locked housing (Maximum Security and Close III).
 - Administrative Segregation.
 - Restricted Administrative Segregation
 - Special management cases.
 - Fire Crew and other community work assignments.
 - DOC Work and Reentry Center placements.
 - Behavior Management Plans that exceed seven days.

A classification action that is referred to the ARC is subject to change and is not effective until approved by the ARC, which has final authority.

B. Custody Levels

1. UMTs will assign a custody level using numeric scoring on the classification instrument except as adjusted by override (see section F).
2. Custody levels reflect varying security aspects such as movement, surveillance / observation, access to programs, job assignment, meals, and escape and harm risks.
3. Supervision as related to these custody levels is outlined in *MSP 3.1.100, Supervision of Inmates*. Lower custody levels will reflect a lesser risk to the public, safety and security of the facility, staff and inmates. Higher custody levels will reflect a greater risk. Following are the custody levels:
 - a. Minimum Custody: the lowest custody level in general population as determined by the prison objective classification system. These inmates pose the least risk to the community because of such factors as offense convictions, compliance with programming recommendations, or time remaining to serve, and/or have demonstrated an ability to function independent of direct supervision without presenting any management problems. Inmates in minimum custody have more liberty, jobs requiring a high level of responsibility, and more control over their personal time. They may be assigned to work assignments off prison property such as community work projects and firefighting crews.
 - 1) Minimum II/Unrestricted Custody: inmates classified to this custody level may be housed in the Low Security Compound, the DOC Work and Reentry Center, and independent living location on prison property. Work assignments are within the double/single fence perimeters, and outside the secure perimeter with administrative approval only. If an inmate with this custody is approved as a Community Worker, and their work assignment requires an overnight stay away from the facility, their supervisor will arrange for them to be housed at a community corrections facility.

Procedure No. MSP 4.2.1	Subject: INMATE CLASSIFICATION SYSTEM
Effective Date: February 27, 2013	p.4 of 10

- 2) Minimum I/Restricted Custody: inmates classified to this level may be housed in the Low Security Compound and the DOC Work and Reentry Center. Work assignments are within the double/single fence perimeters, and outside the secure perimeter with administrative approval only.
- b. Medium II/Unrestricted Custody: the third highest custody level in general population as determined by the objective classification system. Inmates classified to this level may be housed in the Low Security Compound. These inmates have demonstrated an ability to function without management problems, but must be housed in a secure facility as relates to offense conviction, length of time to release, etc. Work Assignments are within the double/single fence perimeter only.
Inmates under the age of 18:
 - 1) Inmates under the age of 18 shall be presumptively classified as medium unrestricted custody or less. Such presumptive classification shall not apply to any inmate under the age of 18 with a significant institutional history or high severity of offense as defined in the Classification Manual. Such inmates shall be objectively classified and housed in accordance with the MDOC Classification Instrument.
 - 2) In all classification or re-classification actions, inmates under the age of 18 shall be considered for an override to a less restrictive classification.
 - 3) Inmates under the age of 18 shall not be placed in Restricted Administrative Segregation, Administrative Segregation, Maximum Security or Detention longer than 72 hours (including holidays and weekends) without approval of the Director of the Department of Corrections or his designee, which shall be the Warden of MSP or, in his absence, one of the Associate Wardens, and without certification from the mental health team, based upon the team's evaluation of the inmate, that the extended isolation would not have an adverse affect upon the inmate's mental health.
- c. Medium I/Restricted Custody: is the second highest custody level in general population as determined by the prison's objective classification system. Inmates classified to this level may be housed in the High Security Compound. Inmates in this level are required to be under general supervision within the High Security Compound.
- d. Close Custody: is the highest custody level in general population as determined by the prison's objective classification system. Inmates classified to this level pose a threat to the safety and security of the facility, staff, other inmates and the public. These inmates require additional supervision based upon criminal history, institutional adjustment, severity of offense, and sentence length. They may be housed in the High Security Compound.
- e. Maximum Custody: is the third highest custody level as determined by the prison's objective classification system. Inmates classified to this level require the highest degree of control and supervision because of extreme misconduct or the nature of their sentence (death sentence). Inmates classified to this level must be housed in a locked housing unit.
- f. Administrative Segregation (Ad Seg): this level places assaultive, rebellious, disruptive or predatory inmates into Locked Housing, including inmates returning

Procedure No. MSP 4.2.1	Subject: INMATE CLASSIFICATION SYSTEM
Effective Date: February 27, 2013	p.5 of 10

to the institution for an escape from a secure facility (MSP, DOC Work and Reentry Center, Private and Regional Prisons, and County Jails). This is also the first level of supervision for inmates who are classified to Maximum Custody.

- g. Restricted Administrative Segregation (RAS): this level places repetitive assaultive, rebellious, disruptive or predatory inmates into a long term locked housing block, including inmates returning to the institution for an escape resulting in harm or injury to other persons from a secure facility (MSP, DOC Work and Reentry Center, Private and Regional Prisons, and County Jails).

C. Housing

1. UMT classification staff will recommend an appropriate housing for the inmate as a component of custody classification or reclassification.
2. MSP will house inmates with similar classification together whenever possible. Inmates with dissimilar classification may be housed together if the needs of the institution so require and appropriate security and supervision can be maintained.
 - a. The UMT will take special precautions regarding the placement and management of these inmates, closely monitoring their adjustment and interaction with others at gym, yard, meal times, day room, etc.
 - b. If such placement extends beyond 30 days, the Classification Specialist will notify the Associate Wardens and Warden weekly regarding the status of these inmates.
3. Inmates within the following categories will be separated from the general population, to the extent possible:
 - a. Special security designations
 - Maximum custody, administrative segregation, and restricted administrative segregation cases.
 - Pre Hearing Confinement
 - Martz Diagnostic Intake Unit (MDIU)
 - b. Medical care
 - Inmates requiring medical isolation due to communicable disease.
 - Inmates who are temporarily confined separately for detoxification purposes.
 - c. Mental health cases
 - As designated by Mental Health specialists.
 - Suicidal.
 - d. Special treatment communities
 - Sex Offender Program Intensive Treatment Unit (SOP ITU).
 - Chemical Dependency Intensive Treatment Unit (CD ITU).
 - Mental Health Intensive Treatment Unit (MH ITU).
 - e. Atypical cases
 - Predatory.
 - Vulnerable.
 - Special Management Inmate (SMI).
 - Security Threat Group (STG).
 - Single cell designations.

Procedure No. MSP 4.2.1	Subject: INMATE CLASSIFICATION SYSTEM
Effective Date: February 27, 2013	p.6 of 10

D. Initial Classification Assessment

1. The MDIU UMT will complete a risk assessment, which provides a basis upon which to make classification decisions, on each inmate within forty-five days of his admittance to MSP. This assessment will take into consideration the inmate's security needs, criminal history, severity of offense, behavior patterns, age, and other relevant factors.
2. Upon completion of the assessment, the MDIU UMT will:
 - Determine the inmate's classification.
 - Screen him for public and institutional risk and recommend appropriate custody placement.
 - Make assessment of his needs and recommend appropriate program/treatment placement.
3. If it is determined that there is a need for additional information, MDIU classification staff may extend the assessment period beyond 45 days with the approval of the appropriate Associate Warden or designee.

E. Reclassification Assessments

1. The UMT will conduct a regular reclassification hearing for each inmate, including those in locked housing, at least every six months. Inmates under the age of 18 will be classified every 90 days.
2. The UMT will conduct a reclassification hearing upon notification from disciplinary staff that an inmate has been found guilty of any of the following rule infractions:
 - Homicide.
 - Assaulting any person.
 - Escape.
 - Threats of bodily harm or death to any person.
 - Extortion, blackmail.
 - Taking a hostage(s).
 - Sexual assault.
 - Assault with intent, or likelihood, to transmit a communicable disease.
 - Attempting to commit, being an accomplice, or a conspirator to, any of the above.
3. The UMT will review and conduct a special reclassification hearing, as appropriate, upon receipt of new information potentially affecting the inmate's classification, within 72 hours from the time when the new information was received (e.g., escape, disciplinary infractions, detainer, conviction on new charge, behavior problems, separation needs, etc.).
4. The Custody Reclassification Instrument will be used to classify inmates in and out of a locked housing unit, and whenever an inmate in locked housing has his custody increased to a more restrictive supervision level.
5. The respective locked housing UMT must conduct classification reviews of all inmates currently classified to maximum custody, special management status, administrative segregation, or restricted administrative segregation at least every 30 days, using a Locked Housing Progress Report.
 - a. Inmates currently classified to maximum custody, special management status, administrative segregation, or restricted administrative segregation will be considered for general population placement during their 30 day review on a case by case basis.

Procedure No. MSP 4.2.1	Subject: INMATE CLASSIFICATION SYSTEM
Effective Date: February 27, 2013	p.7 of 10

- b. If the UMT determines general population or other locked housing placement is appropriate, they will conduct a reclassification hearing using the Custody Reclassification Instrument.
6. The Unit Manager or designee must contact the appropriate work supervisor on or before the day of the hearing on a pending classification increase or job assignment removal of a working inmate.
7. The UMT will conduct special classification reviews requested by treatment personnel, Disciplinary Hearings Officers, or job supervisors.

F. Overrides

UMT's will use experience and professional judgment in recommending classification, and may determine an override when appropriate.

1. Factors to be considered that may result in an override of objective classification scores include the following:
 - Special management case.
 - Psychiatric/suicide risk.
 - Medical/mental health issue(s).
 - Escape threats/risk.
 - Detainer(s).
 - Investigation pending.
 - Adjustment problem/violence threat.
 - Inmate needs.
 - Court ordered requirements/recommendation(s).
 - Institutional need.
 - Exemplary institutional adjustment.
 - Inmates under the age of 18.
2. Override criteria are defined in the *Classification Procedures Manual*.
3. The ARC will review all overrides to ensure continuity and consistency.

G. Notification of Classification Hearings

1. If an inmate's present classification level is subject to increase, and he has not been found guilty of a major disciplinary infraction, UMT staff from the sending unit will provide a *Notification of Classification Hearing* to the inmate in advance of the classification hearing, and attach a copy of it to the completed classification review form.
2. The responsible UMT will complete classification hearings as appropriate on all inmates whose classification is subject to review as outlined in *MSP 3.4.100, Pre Hearing Confinement*.
3. Whenever UMT staff place an inmate in Pre Hearing Confinement pending classification review, they will note the written justification for the PHC placement on an *Admission/Discharge Report (ADR)* form and attach a copy of the *Notification of Classification Hearing* form when submitting it to the CPU.
4. Within 72 hours of the inmate's placement in PHC, excluding weekends and holidays, the UMT staff of the sending unit will conduct the classification review for an inmate placed in PHC pending an investigation and classification decision.

Procedure No. MSP 4.2.1	Subject: INMATE CLASSIFICATION SYSTEM
Effective Date: February 27, 2013	p.8 of 10

- The staff member conducting the investigation may extend the placement in PHC for another 72 hours if further investigation is needed to determine what action is appropriate.
 - If a second extension is necessary, UMT staff must get the Warden or designee's approval. He/she must fill out a new ADR form for each extension, and take it to the CPU.
 - It is the responsibility of sending unit staff to ensure that a second or third *Notification of Classification Hearing* form is given in person to the inmate informing him that his stay in PHC is being extended and that further investigation is needed to determine what action is appropriate. The inmate must be informed that the second extension is final and a decision will be made before it ends.
5. If the classification review determines the inmate will be returned to his previous status, UMT staff will document of this on the *Notification of Classification Hearing* form or an *Incident Report* attached to the *ADR*.

H. Work Assignment/Removal

1. Classification decisions to assign or remove an inmate to or from a work assignment will be done on an *Assignment/Removal form*. When a classification action includes a work assignment change, a separate *Assignment/Removal form* will be attached to ensure proper documentation and action. UMTs will approve or deny all requested work assignments and removals. The UMT's decision is final, however the Warden and MCE Administrator (or designees) have the authority to over-ride a placement on a case-by-case basis after further review.
2. Work supervisors will request that inmates be assigned to or removed from their work crews by submitting an *Assignment/Removal form*, with the top part completed, to the inmate's UMT for review, completion, and processing. The UMT will evaluate the appropriateness of the request by conducting a case file review and researching all potential impact factors.
 - a. Factors to consider when assigning to a work assignment include, but are not limited to, the following:
 - Comments/notations on prior classification paperwork.
 - Appropriate period of adjustment at his present custody level.
 - Proper custody level (any exceptions must be recommended by the Unit Manager and approved by the ARC).
 - Separation needs.
 - Detainers / warrants.
 - Health restrictions / category.
 - Sentence length.
 - Escape history.
 - Institutional need.
 - Public safety
 - Fence restrictions.
 - Minimum I and II - inside or outside the secure perimeter.
 - Medium II - inside the single or double fenced perimeter.
 - Medium I and Close- within the high side compound only.

Procedure No. MSP 4.2.1	Subject: INMATE CLASSIFICATION SYSTEM
Effective Date: February 27, 2013	p.9 of 10

- Ad Seg - in cell or in block dayroom area.
 - Maximum - in cell or in locked housing unit/section.
- b. Factors to consider when removing an inmate from a work assignment include but are not limited to the following:
 - Supervisor reasons.
 - Recent disciplinary infractions.
 - Work assignment evaluations.
 - Inmate behaviors.
 - Proper custody level.
 - Health category.
 - Institutional need.
 - Public safety.
 - Separation needs
 - Escape history.
 3. Supervisors must attach supporting documentation (incident reports, work evaluations, etc.) to an Assignment/Removal form requesting that an inmate be removed from his work assignment.
 4. When removing an inmate from a work assignment, the UMT must hold a hearing and determine whether or not to uphold the removal request. The inmate will remain assigned to the work pending this hearing and the removal appears on the daily activity sheet.
 5. The Unit Manager or designee must approve or disapprove all assignment and removal requests. The UMT must indicate why they approved or disapproved the request in the comments section on the assignment/removal form, and distribute copies of the completed form to the main file, six part file, and inmate.
 6. When an inmate receives a work related disciplinary violation, and the supervisor requests he be removed from the assignment, the inmate may be held in from the assignment pending the results of the disciplinary hearing. If the inmate is not sanctioned to removal from his assignment, and the supervisor still wishes to remove the inmate from the work assignment, the supervisor may request his removal by filling out and submitting an Assignment/Removal form (with documentation to justify removal) to the UMT for processing.
 7. The UMT must turn in completed Assignment/Removal forms to the Classification Placement Office to be placed on the daily movement sheet.
 8. The UMT must process the assignment and removal of an inmate to or from a Community Work Program assignment in accordance with *MSP 5.1.3, Inmate Community Work Programs & Projects*.
 9. Inmates not assigned to a specific work assignment will be assigned to the Labor Pool and may be assigned to a temporary work assignment at any time.
 - a. UMT staff do not need to fill out an Assignment/Removal form to assign an inmate to temporary work less than five days in duration. However the supervisor or the UMT must provide written notice (memorandum) of the assignment to the Classification Placement Office, Command Post, and respective housing unit to clear the inmate for movement to and from the work site.
 - b. Any time an inmate is utilized from the Labor Pool for a temporary work assignment for more than five days, the work supervisor must fill out and submit

Procedure No. MSP 4.2.1	Subject: INMATE CLASSIFICATION SYSTEM	
Effective Date: February 27, 2013		p.10 of 10

an Assignment/Removal form to the UMT for processing, noting that it is for a temporary work assignment. When the tasks are completed, the supervisor must submit an Assignment/Removal form to the UMT for processing the inmate's removal from the temporary work assignment.

- c. Inmates selected for Forced Labor (see *MSP 5.1.4, Forced Labor*) are not processed through classification.

IV. CLOSING

Details concerning the classification process are outlined in the Classification Procedures Manual maintained by staff from the Technical Correctional Services Bureau. Please contact the Technical Correctional Services Bureau Chief with any questions concerning this operational procedure.

V. ATTACHMENTS (none)